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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,299	10/14/2005	Detlef Alfons Buechner	3482	1888

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01/09/2008

EXAMINER
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BANH, DAVID H

ART UNIT	PAPER NUMBER
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4193

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/553,299	<b>Applicant(s)</b> BUECHNER, DETLEF ALFONS	
	<b>Examiner</b> DAVID H. BANH	<b>Art Unit</b> 4193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/3/2005</u> .   | 6) <input type="checkbox"/> Other: ____.                          |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 is objected to because of the following informalities: In line 3, the recitation "its" is ambiguous and lacks antecedent basis. In line 5, the recitations "the chronologically changing datum" and "the angular position" lack antecedent basis. The recitation "it is possible to" in line 7 is ambiguous. Finally, the recitation "rotation" in line 8 lacks antecedent basis. Appropriate correction is required.
2. Claims 4-6 are objected to because of the following informalities: The recitation of "or subcircuit" lacks antecedent basis because claims 4-6 have been amended to not depend on claim 3. Additional similar recitations are also objected to. Appropriate correction is required.
3. Claim 4 is objected to because of the following informalities: The recitation "the shape of the output signal" lacks antecedent basis. Appropriate correction is required.
4. Claim 9 is objected to because of the following informalities: The recitation "conversion purposes" is ambiguous. Appropriate correction is required.
5. Claim 13 is objected to because of the following informalities: The recitation "or subcircuit" lacks antecedent basis. Appropriate correction is required.
6. Claim 22 is objected to because of the following informalities: The recitation "all of the drives" is ambiguous and lacks antecedent basis. Appropriate correction is required.
7. Claim 24 is objected to because of the following informalities: The recitation "its" in line 4 is ambiguous and the recitation "and/or" in line 10 is ambiguous.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-2, 4, 6, 8-9, 14 and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Meihofer (US Patent 5,455,764).

Claim 1: Meihofer teaches a drive device of a printing press (column 4, line 12-13).

Meihofer teaches a virtual leading axel presetting a desired angular position (column 8, lines 57-59). Meihofer teaches a drive of a unit driven by its own drive motor (column 2, lines 31-32). Meihofer teaches that the drive device is attached to a circuit (column 4, line 37). Finally, Meihofer teaches that the drive device is able to convert the chronologically changing datum for the angular position into a pulse train (column 4, lines 19-21). Thus, Meihofer teaches all of the limitations of claim 1.

Claim 2: Meihofer teaches the elements of claim 2 as found in claim 1 above. It further teaches the pulse train being fed into a drive of a subassembly which is independently driven by the drive of the unit (column 4, line 29-32). Meihofer teaches that the drive of the subassembly is coupled to the leading axel (column 4, line 33).

Claim 4: Meihofer teaches all of the elements of claim 4 as found in claim 1 above. It further teaches the circuit to be adjustable in regards to parameters that relate to the shape of the output signal (column 15, lines 2-4)

Claim 6: Meihofers teaches all of the elements of claim 5 as found in claim 1 above. It further teaches the circuit to receive current leading position from a drive control unit (column 4, lines 29-31, 37-38).

Claim 8: In addition to the elements taught as described for claim 1 as above, Meihofers teaches a drive control unit (column 4, lines 12-14) which has at least one circuit (column 4, lines 36-37).

Claim 9: The circuit in Meihofers is taught to be a converter between direct and alternating power.

Claim 14: Meihofers teaches that it is possible to parameterize the output signal with regard to the number of output pulses per rotation (column 15, line 57-63).

Claim 15: Meihofers teaches that it is possible to parameterize the circuit with regard to the number of pulses per rotation of a subassembly (column 15, lines 57-63). It further teaches that the subassembly may be controlled by means of a circuit (column 15, lines 64-65).

Claim 17: Meihofers teaches that the circuit output may be a digital signal (column 15, line 11).

Claim 18: Meihofers teaches that the circuit output may be an analog signal (column 15, line 12).

10. Claim 24 is rejected under 35 U.S.C. 102(b) as being anticipated by Meihofers. Meihofers teaches a process for controlling a subassembly of a printing press (column 4, line 12-13). Meihofers teaches a virtual leading axel presetting a desired angular position (column 8, lines 57-59). Meihofers teaches a drive of a unit driven by its own

drive motor (column 2, lines 31-32). Meihofer teaches that the drive device is attached to a circuit (column 4, line 37). Finally, Meihofer teaches that the drive device is able to convert the chronologically changing datum for the angular position into a pulse train (column 4, lines 19-21). Thus, Meihofer teaches all of the limitations of claim 24.

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764) in further view of Bowers (US Patent 5,278,489).

Meihofer teaches all of the limitations of claim 3 as found in claim 1. Meihofer does not teach that the circuit includes a number of subcircuits that are able to generate a number of pulse trains in the form of output signals at a number of outputs. However, Bowers teaches a circuit that includes a number of subcircuits (column 3, line 43). The subcircuits generate pulse trains (column 3, line 48) in the form of output signals at a number of outputs (column 3, line 61). It would have been obvious to one of ordinary skill in the art the time the invention was made to utilize a circuit with a number of pulse train generating circuits as taught by Bowers within the frame of Meihofer for the purpose of being able to parse the task of outputting data to multiple subcomponents.

13. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764) in view of Vyas (US Patent 5,200,648).

Meihofer teaches all of the limitations of claim 5 as found in claim 1. Meihofer does not teach that the circuit is embodied in the form of an emulator circuit. However, Vyas teaches an emulator circuit (figure 1). It would have been obvious to one of ordinary skill in the art the time the invention was made to utilize an emulator circuit as taught by Vyas in the framework of Meihofer for the purpose of running the system with live data while still allowing for debugging.

14. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764) in further view of Sheynblat (US PG Pub 2002/0171581A1).

Meihofer teaches all of the limitations of claim 7 as found in claim 1. Meihofer does not the circuit to be connected as a client to a network that conveys position and received position at its input. However, Sheynblat teaches a circuit that connects through a client to a network that receives and transmits information based on specific position. It would have been obvious to one of ordinary skill in the art the time the invention was made to combine the circuit system taught by Sheynblat with the system taught by Meihofer for the purpose of being able to transmit pertinent data into a network.

15. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764 as applied to claim 9 above, and further in view of Bedrosian (US Patent 5,740,211).

Meihofer teaches all of the limitations of claim 9 as found in claim 1. The combination does not teach that the circuit converts the datum into a pulse train that has a fixed and definite number of pulses per rotation. However, Bedrosian teaches a circuit that converts chronological datum to a fixed and definite number of pulses per rotation

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(column 2, lines 35-39). It would have been obvious to one of ordinary skill in the art the time the invention was made to modify Meihofer with the stable circuit of Bedrosian for the purpose of providing a more consistent and constant data stream.

16. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764) and Bedrosian (US Patent 5,740,211) as applied to claim 10 above, and further in view of Hall (US Patent 5,300,096).

The combination of Meihofer and Bedrosian teaches all of the limitations of claim 11 as found in claim 10. The combination does not teach the first circuit communicating with the input of a second circuit which is able to convert the first pulse train into a new pulse-shaped signal in conjunction with parameters that influence the shape. However, Hall teaches a plurality of circuits that utilizes adjustable parameters to influence the size and shape of a pulse train (column 9, lines 57-64). It would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teachings of Hall within the combination of Meihofer and Bedrosian for the purpose of being able to custom tailor the signal without having to perform calculations or mental visualization.

17. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764) and Bowers (US Patent 5,278,489) as applied to claim 3 in further view of Medding (US Patent 4,278,921).

The combination of Meihofer and Bowers teaches all of the limitations of claim 12 as found in claim 3. The combination does not teach that a circuit is able to generate a number of different pulse trains. However, Medding teaches the output of a number of



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different pulse trains (column 1, lines 43-45). It would be obvious to one of ordinary skill in the art at the time the claimed invention was made to modify Meihofner as taught by Medding for the purpose of being able to produce a variety of different electric signals.

18. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofner (US Patent 5,455,764), Bedrosian (US Patent 5,740,211) and Hall (US Patent 5,300,096) as applied to claim 11.

The combination of Meihofner, Bedrosian and Hall teaches all of the limitations of claim 13 as found in claim 11. Additionally, Hall teaches that the parameters of the circuit are adjustable (column 9, line 63). It would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate this additional feature with the combination taught by Meihofner, Bedrosian and Hall for the purpose of being able to custom tailor the signal by adjusting the parameters.

19. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofner (US Patent 5,455,764) in view of Hall (US Patent 5,300,096).

Meihofner teaches all of the limitations of claim 16 as found in claim 4. Meihofner does not that it is possible to parameterize the output signal with regard to the height of its amplitude. However, Hall teaches that it is possible to adjust the pulse train with respect to amplitude (column 9, lines 61-64). It would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teachings of hall for the purpose of being able to determine the output as a function of the amplitude.

20. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofner (US Patent 5,455,764) in view of Medding (US Patent 4,278,921).

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Meihofer teaches all of the limitations of claim 19 as found in claim 1. Meihofer does not an output that has a set of correlated pulse trains. However, Medding teaches an output that generates a set of pulses which are correlated (column 1, lines 43-45). It would have been obvious to one of ordinary skill in the art the time the invention was made to modify Meihofer by adding an output as taught by Medding for the purpose of simultaneously emitting more data.

21. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764) in further view of Naimer (US Patent 4,368,394).

Meihofer teaches all of the limitations of claim 20 as found in claim 4. Meihofer does not that the circuit is detachably connected to a computing unit in order to adjust the parameters. However, Naimer teaches circuits connected to a computing unit for adjusting that is detachable. It would have been obvious to one of ordinary skill in the art the time the invention was made to combine the elements of Naimer with the invention taught by Meihofer for the purpose of being able to change computing units.

22. Claim 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764) in further view of Fujikawa (US Patent 6,284,167B1).

Meihofer teaches all of the limitations of claim 21 as found in claim 1. Meihofer does not teach that the leading axel position is preset by a drive control unit. However, Fujikawa teaches a drive controller that determines the start position of a shaft. It would have been obvious to one of ordinary skill in the art the time the invention was made to the teachings of Fujikawa with the invention in Meihofer for the purpose of being able to internally control the initial position of the virtual leading axel.

23. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764) and Bedrosian (US Patent 5,740,211) as applied to claim 10 above, and further in view of Tindall (US Patent 4,886,680).

The combination of Meihofer and Bedrosian teaches all of the limitations of claim 22 as found in claim 10. The combination does not teach that the drive control unit is an independent master. However, Tindall teaches an independent master control unit within a printing system. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate an independent master control for the purpose of being able to control all of the drives through a single control unit.

24. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meihofer (US Patent 5,455,764) and Bedrosian (US Patent 5,740,211) as applied to claim 10 above, and further in view of Tokiwa (US Patent 6,343,549B1).

The combination of Meihofer and Bedrosian teaches all of the limitations of claim 23 as found in claim 10. The combination does not teach that the drive control unit is the drive control unit of a folding unit. However, Tokiwa teaches the drive control of a folding unit for determining the initial position of the print station (column 1, lines 25-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Tokiwa into the combination of Meihofer and Bedrosian for the purpose of producing a multi-purpose control device for the folding unit.

***Claim Rejections - 35 USC § 112***

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25. Claim 12 recites the limitation "a second circuit" in line 2. There is insufficient antecedent basis for this limitation in the claim. A second circuit is neither recited in claim 3 nor in claim 1 on which claim 12 depends.

***Conclusion***

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Osofsky (US Patent 6,724,840B1) teaches that it is possible to parameterize a signal within a scanned frequency bandwidth by frequency, amplitude or modulation (column 3, lines 34-38).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID H. BANH whose telephone number is (571)270-3851. The examiner can normally be reached on M-Th 7:30AM-5PM Alt. Fri 7:30AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long T. Nguyen can be reached on 571-272-1753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DHB

/DANIEL PAN/  
Primary Examiner